

REMARKS

I. Introduction

Claims 1-79 are pending. In the present action dated January 23, 2009, the Examiner has allowed claims 1-26 and 36-79; Claims 27-35 stand rejected. In response, claim 27 has been amended. Re-examination and re-consideration of the application, as amended, is requested.

II. Specification Amendments

Applicants have amended the specification to recite that the program guide may be displayed on an LCD panel. This information was incorporated by reference from application serial number 09/360,745 (page 21, lines 20-22) and therefore, does not represent new matter.

III. Allowable Subject Matter

The Office Action states that claims 1-26 and 36-79 are allowed. Applicants thank the Examiner for the indication of allowable subject matter.

IV. Prior Art from Related Cases

According to MPEP §§2001.06(b) 609.02, the Examiner will consider prior art cited in earlier continuation applications, and must indicate in the first Office Action whether the prior art cited in the related earlier application has been reviewed. The Applicants note that this application is a continuation of one or more parent or sibling applications. Accordingly, the Applicants respectfully request that the Examiner indicate that a review of the related cases has been undertaken and the prior art cited and arguments made in those applications has been considered.

V. Claim Amendments

Applicants' attorney has made amendments to the claims as indicated above to clarify their statutory status. Unless otherwise indicated, these amendments were made solely for the purpose of clarifying the language of the claims, and were not required for purposes of patentability or to distinguish the claims over the prior art.

VI. Office Action Subject Matter Rejection

The Office Action rejects claim(s) 27-35 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Applicants have amended independent claim 27 to recite that a method step is performed in a receiver. Since claims 27-35 now recite particular apparatus, Applicants believe that the claims currently describe statutory subject matter.

Should issues still remain in this regard, the Applicants requests that the Examiner indicate how the rejection can be overcome and how problems may be resolved, in accordance with the directives of the Examination Guidelines for Computer-Related Inventions. See Guidelines II M.P.E.P. § 2106. Specifically, should it be necessary, the Applicants request that the Examiner identify features of the invention that would render the claimed subject matter statutory if recited in the claim. See Guidelines IV, M.P.E.P. § 2106.


VII. Conclusion

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicants' undersigned attorney.

Should any fees be associated with this submission, please charge Deposit Account 50-0383.

Respectfully submitted,

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